

Utilities company fined after member of the public died following fall into excavation site

A utilities company has been fined after a member of the public suffered fatal injuries after falling into an excavation on a footpath.

Luton Crown Court, sitting at Knight's Chamber in Peterborough Cathedral, heard that on 28 May 2017 M&S Water Services (Utilities) Ltd was digging on a footpath on Devon Road, Luton to access a stop tap that needed replacing. The stop tap could not be reached by hand and so it was left protected by plastic barriers until a deep dig team could attend a few days later.

Over the bank holiday weekend, a member of the public, Matthew Wilmot, was walking home when he fell into the excavation site. His body was found the next morning.

A Health and Safety Executive (HSE) investigation found that suitable and sufficient risk assessment had not been completed. It should have identified the need for secure fencing, back filling or covering as the excavation was to be left unattended for five days and there was no easy alternative route for nearby householders.

M&S Water (Utilities) Ltd of High Town Enterprise Centre in York Street, Luton were found guilty of breaching Section 3(1) of the Health and Safety at Work Act 1974. They were fined £100,000 and ordered to pay costs of £50,238.

Speaking after the hearing, HSE inspector Alison Ashworth said: "This tragic incident could have been avoided if the risks had been properly assessed and simple precautions put in place."



Notes to Editors:

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. We prevent work-related death, injury and ill health through regulatory

actions that range from influencing behaviours across whole industry sectors through to targeted interventions on individual businesses. These activities are supported by globally recognised scientific expertise. hse.gov.uk

2. More about the legislation referred to in this case can be found at:

www.legislation.gov.uk/

3. HSE news releases are available at <http://press.hse.gov.uk>

4. For more information on how to do a proper risk assessment, please visit:

<https://www.hse.gov.uk/simple-health-safety/risk/index.htm>

The post [Utilities company fined after member of the public died following fall into excavation site](#) appeared first on [HSE Media Centre](#).

[Company fined after worker has arm amputated following entanglement in machine](#)

Agricultural machines manufacturer Superior Machines Ltd was fined for safety breaches, after a 68-year-old worker suffered life threatening injuries when he became entangled on a manual lathe.

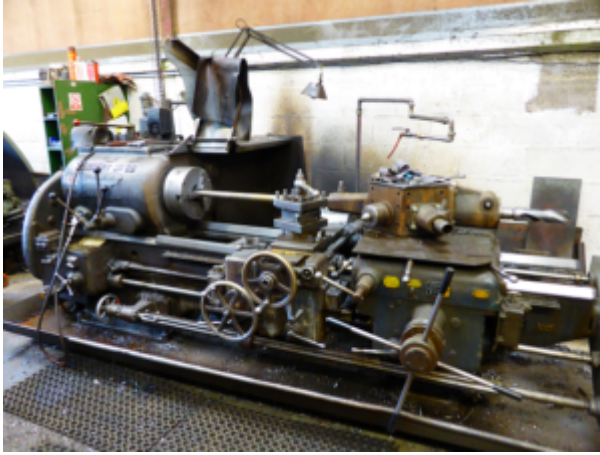
York Magistrates' Court heard that on 25 January 2019, the worker became entangled on either the rotating workpiece or the chuck as it rotated. He sustained extensive injuries including a punctured lung, broken neck, fractures to the back, ribs, arm and shoulder blade. He subsequently had his left arm amputated at the shoulder.

An investigation by the Health and Safety Executive (HSE) found that machinery standards across the site were poor with many machines unguarded. Three prohibition and five improvement notices were served. These included machine guarding, welfare and management issues.

Superior Machines Ltd of Pluckham Farm, Fridaythorpe, Drifffield, East Riding of Yorkshire pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. The company was fined £60,000 and ordered to pay costs of £7,618.

Speaking after the hearing, HSE inspector Sarah Taylor said: "Entanglement incidents on unguarded rotating machinery are far too common.

"The worker's injuries were life changing and he could have easily been killed. This serious incident and devastation could have been avoided if basic safeguards, risk assessments, supervision and instruction had been in place."



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2. More about the legislation referred to in this case can be found at: www.legislation.gov.uk/
3. HSE news releases are available at <http://press.hse.gov.uk>[3]
4. Please see the link below to the page on HSE's website that is the best guide to doing it the right way: <https://www.hse.gov.uk/engineering/index.htm>

The post [Company fined after worker has arm amputated following entanglement in machine](#) appeared first on [HSE Media Centre](#).

[High school fined after child is fatally injured](#)

A high school in Chelmsford has been fined after a young child died after a locker in a changing room fell on top of him.



Chelmsford Magistrates' Court heard that on the 23 May 2019, nine-year-old Leo Latifi was fatally injured when he attended an after-school swimming lesson at the sports centre of Great Baddow High School. The incident occurred whilst he and another young child had been waiting in the boy's changing room for their lesson to start. The lockers, which had doors missing, stood prominently in the changing area provided a climbing frame to the children. As they climbed on the front of the unit it toppled forward. One child was able to jump free but tragically Leo could not and the locker fell on top of him.

An investigation by the Health and Safety Executive's (HSE) found that the locker unit, which was 180cm tall and weighed 188kg, had not been secured to the wall to prevent it from toppling over despite the unit having fixing brackets fitted as part of its structure. The court heard how several scenarios could have caused the unit to move including an adult stepping onto the lowest edge of the unit to pull at a bag stuck in a top tier locker or to clean the top the unit.

Great Baddow High School, Duffield Road, Chelmsford pleaded guilty to breaching Section 3(1) of the Health and Safety at Work Act 1974 and has been fined £16,700 and ordered to pay costs of £12,000 with a surcharge fee of £170.

After the hearing HSE inspector, Saffron Turnell, said: "This tragic incident led to the avoidable death of a young child which has, and will continue to, deeply affect his loving family, his friends and acquaintances.

"This incident could easily have been prevented had the school simply ensured the locker unit had been securely fixed to the wall, however it had failed to identify the risk associated with the potential for the unit to topple over and to put in place appropriate monitoring arrangements to ensure that it stayed secure.

"At the inquest into Leo's death last year, the jury agreed that this tragedy was significantly contributed to by a lack of appropriate assessment to a clear and obvious risk. This remained the case for around six years.

"I therefore urge all organisations to urgently check that any free-standing furniture is appropriately assessed and properly secured, if they have not done so already."

Leo's family commented: "Nothing can bring back our precious Leo, and the prosecution hearing is yet another very difficult time when we will have to re-live what happened on the terrible day he died.

"Families must be sure that their children will be kept safe when they are at school, in the care of other adults and organisations. We can only hope that no one else has to suffer what we have endured these past two years since our Leo lost his life, and if the prosecution makes other schools more alert to their responsibilities in looking after equipment that could put children at risk, then that is all we can ask for right now."

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2. More about the legislation referred to in this case can be found at: www.legislation.gov.uk and <https://www.hse.gov.uk/risk/classroom-checklist.pdf>
3. HSE news releases are available at <http://press.hse.gov.uk>
4. Following the tragedy, a health and safety message was issued to HSE's dedicated schools eBulletin list.
5. The family do not wish to be interviewed.

The post [High school fined after child is fatally injured](#) appeared first on [HSE Media Centre](#).

[Company fined after apprentices suffer chemical burns](#)

A car dealership has been fined after two apprentices suffered chemical burns.

Leicestershire Magistrates' Court heard how on 15 March 2018 two apprentices were working at Mercedes-Benz of Northampton in Riverside Business Park, cleaning the vehicle ramps in the workshop using a chemical from an unlabeled barrel. The chemical caused burns to their hands and arms, which resulted in both of them being taken to hospital for treatment.

An investigation by the Health and Safety Executive (HSE) found that the company failed to ensure that the exposure of this hazardous substance was either prevented or adequately controlled.

Cruickshank Motors Limited (trading as Mercedes-Benz of Northampton) of Penman Way, Grove Park, Leicester was found guilty of breaching Regulation 7(1) of the Control of Substances Hazardous to Health Regulations 2002.

The company was fined £360,000 and ordered to pay costs of £12,622.

Speaking after the hearing, HSE inspector Aaron Butel said: "When working with hazardous substances, there is a legal requirement of every employer to ensure that exposure is either prevented, or where this is not reasonably practicable, adequately controlled."

“This incident could so easily have been avoided by simply implementing suitable control measures and safe working practices.

“Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards.”

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4. <http://www.hse.gov.uk/coshh/index.htm>

The post [Company fined after apprentices suffer chemical burns](#) appeared first on [HSE Media Centre](#).

[Private security firm sentenced after employee attacked at a youth offender training centre](#)

A private security company has been fined after an employee suffered life-changing injuries when he was assaulted by four individuals at a young offender’s training facility in Milton Keynes.

Milton Keynes Magistrate’s Court heard how on 15 March 2017, the secure care officer (SCO) was working alone with a group of six trainees, who were taking part in a scheduled activity on the outdoor fenced football pitch at the Oakhill Secure Training Centre in Milton Keynes. The SCO had only worked for the company for around three or four months.

During the activity one of the individuals attempted to climb the fence. The incident escalated and the SCO attempted to deal with it alone, the situation became hostile and he was attacked by four of the individuals.

The SCO sustained multiple injuries to his head and body and was taken to hospital by ambulance where he was put in an induced coma for three weeks. He suffered brain damage and had a plate fitted in his skull. He spent a further two months in a specialist brain injury rehabilitation centre.

He said: “When I came round from the coma I could not walk without assistance and I would sleep for around 17 hours a day. I was on medication for about a year, this was mainly to prevent epilepsy which is common following a brain injury.”

He added: "I have a scar and an indentation on my head, this means people always ask me about what happened. I do not like talking about this to people. Even now I struggle to form relationships with people as I find it difficult to trust people.

"I struggle to read and understand things, I have been referred to a neuropsychologist."

An investigation by the Health and Safety Executive (HSE) found that G4S Care and Justice Services (UK) Ltd failed to ensure robust procedures were put in place, to ensure that inexperienced staff were not working alone with groups of young people who presented a high risk of violence.

G4S Care and Justice Services (UK) Ltd pleaded guilty to breaching section 2(1) and Section 33(1)(a) of the Health and Safety at Work Act 1974. They were fined £250,000 and ordered to pay costs of £13,787.

Speaking after the hearing, HSE inspector Stephen Faulkner said: "If proper procedures and supervision had been in place to prevent inexperienced officers from working alone in high risk situations, the life changing injuries sustained by the employee could have been prevented."

Thames Valley Police carried out separate criminal investigations against the four individuals involved in the assault.

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